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 Nevada Bar No. 5061  
 CLIFF W. MARCEK, P.C.  
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Attorney for Plaintiffs  
 SARA RODRIGUEZ, parent and guardian  
 of JACOB WYMAN

**UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA**

WESCO INSURANCE COMPANY, as subrogee  
 of its insured, NICKELS AND DIMES  
 INCORPORATED,

Plaintiff,

vs.

SMART INDUSTRIES CORPORATION, dba  
 SMART INDUSTRIES CORP., MFG., an Iowa  
 corporation,

Defendants.

JENNIFER WYMAN, individually; BEAR  
 WYMAN, a minor, by and through his natural  
 parent JENNIFER WYMAN; JENNIFER  
 WYMAN and VIVIAN SOOF, as Joint Special  
 Administrators of the ESTATE OF CHARLES  
 WYMAN; and SARA RODRIGUEZ, natural  
 parent and guardian ad litem of JACOB  
 WYMAN,

Plaintiffs,

vs.

SMART INDUSTRIES CORPORATION dba  
 SMART INDUSTRIES CORP., MFG, an Iowa  
 Corporation; HI-TECH SECURITY INC, a  
 Nevada Corporation; WILLIAM ROSEBERRY;  
 BOULEVARD VENTURES, LLC, a Nevada  
 Corporation; DOES I through V; DOES 1  
 through 10; BUSINESS ENTITIES I through V;  
 and ROE CORPORATIONS 11 through 20,  
 inclusive,

Defendants.

CASE NO. 2:16-cv-01206-JCM-EJY

**STIPULATION AND ORDER TO  
 EXTEND TIME TO FILE A JOINT  
 PRETRIAL ORDER**

CONSOLIDATED WITH CASE  
 NO. 2:16-cv-02378-JCM-CWH

1 HI-TECH SECURITY INC; and WILLIAM  
ROSEBERRY,

2 Third-Party Plaintiffs,

3 vs.

4 NICKELS AND DICES INCORPORATED,

Third-Party Defendant.

5 COMES NOW, Plaintiffs, SARA RODRIGUEZ parent and guardian of JACOB  
6 WYMAN, by and through their counsel of record, Cliff W. Marcek, Esq and Thomas  
7 Schwartz, Esq.; Jennifer Wyman, Bear Wyman and the Estate of Charles Wyman by and  
8 through their attorney of record, Tracy A. Eglet, Esq. of EGLET ADAMS LAW OFFICE;  
9 Smart Industries Corporation, by and through its attorney of record William Pruitt, Esq of  
10 BARRON AND PRUITT; Wesco Insurance Company by and through its attorney Peter  
11 Duboswky, Esq. and hereby agree and stipulate to extend the time to file the Joint Pretrial  
12 Order.

13 On September 16, 2021, the Honorable Judge James C. Mahan filed a Minute Order  
14 stating the parties were to submit a Joint Pretrial Order in compliance with Local Rule 16-4  
15 within 30 days. The Joint Pretrial Order is due October 18, 2021.

16 The parties have conducted extensive discovery and there are many documents to  
17 review. In addition, there have been numerous depositions, written discovery and each side  
18 has disclosed expert witnesses. Due to the amount of potential evidence, the parties need more  
19 time to prepare and file the Joint Pretrial Order.

The parties are circulating drafts for the joint pretrial order, but it is unlikely will be completed by Monday, October 18, 2021.

The parties above request that the court approve of this stipulation and order giving the parties an additional two weeks to submit the Joint Pretrial Order.

DATED this 15 day of October, 2021.

DATED this 15 day of October, 2021.

/s/Cliff W. Marcek

/s/William Pruitt

CLIFF W. MARCEK, ESQ.  
Nevada Bar No. 5061  
**CLIFF W. MARCEK, P.C.**  
411 E. Bonneville Ave.  
Las Vegas, Nevada 89101  
*Attorneys for Plaintiffs*  
*SARA RODRIQUEZ, parent and guardian*  
*Of JACOB WYMAN*

WILLIAM PRUIT, ESQ.  
Nevada Bar No. 6783  
JOSEPH R. MESERVY, ESQ.  
Nevada Bar No. 14088  
**BARRON & PRUITT, LLP**  
3890 West Ann Road  
North Las Vegas, Nevada 89031  
*Attorneys for Defendant*  
*SMART INDUSTRIES CORPORATION*

DATED this 15\_ day of October, 2021.

DATED this 15 day of October, 2021.

/s/Tracy A. Eglet

/s/Peter Duboswky

TRACY A. EGLET, ESQ.  
Nevada Bar No. 6419  
BRITTNEY R. GLOVER, ESQ.  
Nevada Bar No. 15412  
**EGLET ADAMS**  
400 South Seventh Street, Suite 400  
Las Vegas, Nevada 89101  
*Attorneys for Plaintiffs*  
*JENNIFER WYMAN, BEAR WYMAN; and*  
*ESTATE OF CHARLES WYMAN*

PETER DUBOSWKY, ESQ.  
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AMANDA VOGLER-HEATON, ESQ.  
Nevada Bar No. 13609  
**DUBOWSKY LAW OFFICE, CHTD**  
300 South Fourth Street, Suite 1020  
Las Vegas, Nevada 89101  
*Attorneys for WESCO INSURANCE CO.*

**IT IS SO ORDERED** October 15, 2021.

*James C. Mahan*  
UNITED STATES DISTRICT JUDGE  
JAMES C. MAHAN

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**Cliff Marcek**

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**From:** Peter Dubowsky <peter@dubowskylaw.com>  
**Sent:** Friday, October 15, 2021 10:24 AM  
**To:** Cliff Marcek; Brittney Glover; MaryAnn Dillard; dcoil@ggrmlawfirm.com; Joseph Meservy  
**Cc:** Kiera Buckley  
**Subject:** RE: Stipulation

You have my authorization.

Peter Dubowsky, Esq.  
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**From:** Cliff Marcek  
**Sent:** Friday, October 15, 2021 10:20 AM  
**To:** Brittney Glover; MaryAnn Dillard; dcoil@ggrmlawfirm.com; Joseph Meservy; peter@dubowskylaw.com  
**Cc:** Kiera Buckley  
**Subject:** RE:Stipulation

Brittney, MaryAnn, Joseph and Peter:

Attached is the proposed stipulation and order to extend the deadline for the Joint Pretrial Order. Please review and sign or if the court will allow electronic signatures, give me permission to submit it.  
I sent it in MSWord, but don't change the document. If you have any changes let me know and I will make them.

We should file this today so get back to me asap. Thanks.

CLIFF W. MARCEK, P.C.  
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*Board Certified Personal Injury Law Specialist*  
American Association of Justice

**Cliff Marcek**

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**From:** MaryAnn Dillard <MDillard@lvnlaw.com>  
**Sent:** Friday, October 15, 2021 10:58 AM  
**To:** 'Brittney Glover'; Cliff Marcek; 'dcoil@ggrmlawfirm.com'; Joseph Meservy; peter@dubowskylaw.com  
**Cc:** Kiera Buckley  
**Subject:** RE: Stipulation

Please take David Barron off the signature block for our office and replace his name with William H. Pruitt, Bar # 6783. After that change is made, Mr. Pruitt gives permission to use his e-signature on the stipulation. Thanks,

**MaryAnn Dillard | Paralegal**  
[barronpruitt.com|mdillard@lvnlaw.com](mailto:barronpruitt.com|mdillard@lvnlaw.com)  
p 702.870.3940 | f 702.870.3950  
3890 West Ann Road  
North Las Vegas NV 89031  
**Barron & Pruitt, LLP**  
**LAWYERS**

**From:** Brittney Glover [mailto:bglover@egletlaw.com]  
**Sent:** Friday, October 15, 2021 10:46 AM  
**To:** Cliff Marcek <cwmarcek@marceklaw.com>; MaryAnn Dillard <MDillard@lvnlaw.com>; 'dcoil@ggrmlawfirm.com' <dcoil@ggrmlawfirm.com>; Joseph Meservy <JMeservy@lvnlaw.com>; peter@dubowskylaw.com  
**Cc:** Kiera Buckley <kbuckley@egletlaw.com>  
**Subject:** RE: Stipulation

You have my permission to e-sign. Thanks.

Brittney Glover

**From:** Cliff Marcek <cwmarcek@marceklaw.com>  
**Sent:** Friday, October 15, 2021 10:20 AM  
**To:** Brittney Glover <bglover@egletlaw.com>; MaryAnn Dillard <MDillard@lvnlaw.com>; 'dcoil@ggrmlawfirm.com' <dcoil@ggrmlawfirm.com>; Joseph Meservy <JMeservy@lvnlaw.com>; peter@dubowskylaw.com  
**Cc:** Kiera Buckley <kbuckley@egletlaw.com>  
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